

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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BERNIE O'HARE,

Plaintiff,

v.

JOANN MEZZACAPPA,

Defendant.

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CIVIL ACTION

NO. 15-1625

**ORDER**

**AND NOW**, this 8th day of June, 2015, upon consideration of Defendant Joann Mezzacappa's Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b) (1) and (6) (Docket No. 3) filed April 22, 2015; upon consideration of Plaintiff's Brief in Opposition to Defendant's Motion to Dismiss (Docket No. 6) filed May 4, 2015; and for the reasons expressed in the foregoing Memorandum,

**IT IS ORDERED** that Defendant's Motion to Dismiss is **DENIED**.

**IT IS FURTHER ORDERED** that Defendant shall have until June 29, 2015 in which to file an answer to Plaintiff's Complaint.

BY THE COURT:

/s/Henry S. Perkin  
HENRY S. PERKIN  
United States Magistrate Judge